

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

HELIODORO VIDRIO RODRIGUEZ,
CIPRIANO LARIOS CORTEZ, JESUS
LARIOS, JASMIN CHAVEZ SARABIA,
RICHARD PAUL CABRERA, RACHEL
ANN GENARO-MEZA, JOHN DAVID
FERRILL,

Defendants.

CASE NO. CR17-5089BHS

ORDER

This matter comes before the Court on Defendant Heliodoro Vidrio Rodriguez's Motion to Continue Trial, Pre-Trial and Pre-Trial Motions Filing Deadline. The Court, having considered the unopposed motion, Defendant Richard Cabrera's response, the declaration filed by defense counsel Phil Brennen, the government's response and Defendant Jesus Larios' response, makes the following findings of fact and conclusions of law:

1. Discovery in this matter is voluminous and ongoing, and it includes material subject to a protective order. The defense needs additional time to review the large amount of discovery.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation

1 for pretrial proceedings or for trial itself within the time limits established by the Speedy
2 Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 3. Taking into account the exercise of due diligence, a continuance is necessary to
4 allow the defense the reasonable time for effective preparation and to ensure continuity of
5 counsel. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 4. Proceeding to trial absent adequate time for the defense to prepare would result
7 in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

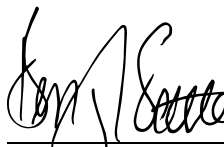
8 5. The ends of justice served by granting this continuance outweigh the best
9 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 6. Defendant Richard Cabrera waived speedy trial through October 31, 2017;
11 Defendants John David G. Ferrill and Rachel Ann Genaro-Meza waived speedy trial
12 through November 30, 2017.

13 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date is continued
14 from May 2, 2017, to September 19, 2017, at 9:00 a.m. The resulting period of delay
15 from March 9, 2017, to September 19, 2017, is hereby excluded for speedy trial purposes
16 under 18 U.S.C. § 3161(h)(7)(A) and (B).

17 Pretrial motions are due no later than August 10, 2017. Pretrial Conference is set
18 for September 11, 2017 at 9:00 a.m.

19 Dated this 28th day of March, 2017.

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21 

22 BENJAMIN H. SETTLE
United States District Judge